

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JP MORGAN CHASE BANK, N.A.,

Case No. 08-13845

Plaintiff,

Avern Cohn

United States District Judge

vs.

LARRY J. WINGET, *et al.*,

Michael Hluchaniuk

United States Magistrate Judge

Defendants.

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**STIPULATION OF THE PARTIES**

In an effort to: 1) resolve without judicial intervention, issues related to Plaintiff/Counter-Defendant's assertion of privilege over documents authored or received by Black Diamond or its counsel Skadden Arps; 2) accommodate scheduling conflicts with currently noticed deposition dates; and 3) reset for continuation the deposition of Richard F. Babcock, the parties hereby stipulate to the taking of the following depositions not later than February 28, 2011:

1. Kim Costello
2. T. Andrew Eckstein
3. William T. Burgess (Length: 2 days)
4. Roy J. Gallagher

5. Richard F. Babcock (Length: 2 hours)

The parties acknowledge that this stipulation does not constitute and will not be construed as implying, directly or indirectly, an intent to waive any privilege presently being asserted in this case by any party. Nor does it waive any rights of either party to seek further relief from the Court under Fed. R. Civ. P. 26 or 16.

Dated: February 1, 2011

s/John E. Andling

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Dated: February 1, 2011

s/ Melville W. Washburn

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**ORDER**

Pursuant to the stipulation of the parties;

**IT IS SO ORDERED.**

Date: February 7, 2011

s/Michael Hluchaniuk  
Michael Hluchaniuk  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I certify that on February 7, 2011, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Melville W. Washburn, William T. Burgess, John E. Anding, and Thomas V. Hubbard.

s/Tammy Hallwood  
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